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Sent Via GovQA Matter Number P000112-071719 and US Mail

MuckRock News
DEPT MR 76586
411 A Highland Ave.
Somerville, MA 02144-25165

RE: Public Records Act Request Received January 02, 2019

Mr. Dan Rubins:

We are in receipt of your Public Records Act request for all "Brady lists", "Giglio lists", "potentially impeachment disclosure lists," or similar compiled records or lists of records of the type set forth in California Penal Code section 832.7(b)(1)(C) as amended by SB 1421.

Responsive materials are being withheld because they are exempt from disclosure under California Government Code sections 6254(c) (personnel records), 6254(f) (investigatory records), and 6255 (public interest), Evidence Code sections 1040 and 1042 (official information), California Code of Procedure section 2018.030 (prosecutor's work product) and California Penal Code section 1054.6 (prosecutor's work product).

SB 1421 did not affect the County's legal authority to assert these exemptions for these requests. While some SB 1421 material might be used to construct the Brady list, the Brady list itself is not subject to disclosure under SB 1421. Further, we are not aware of any other statute or case law that compels disclosure of the "Brady list".

Please feel free to contact me with any further questions.

Sincerely,

Deborah Micheli
ASSISTANT COUNTY COUNSEL

Deborah Micheli

DM/jr